

DEPARTMENT OF STATE REVENUE

LETTER OF FINDINGS NUMBER: 02-0505P

Adjusted Gross Income Tax
For Calendar Years 1997, 1998, and 1999

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ISSUE(S)

I. **Tax Administration** – Penalty

Authority: IC 6-8.1-10-2.1(d); 45 IAC 15-11-2

Taxpayer protests the penalty assessed.

STATEMENT OF FACTS

Taxpayer is a nonfiler that elected to file S Corporation returns. It does refinishing services under hotel contracts, apartment contracts, and individual homeowners. The department issued a penalty billings for failure to file IT-20 S returns.

I. **Tax Administration** – Penalty

DISCUSSION

Taxpayer's letter states that the company was audited and no liability was found to be due.

Based upon the above information, taxpayer requests that the penalty be waived.

Taxpayer failed to file its IT20-S returns for calendar years 1997, 1998, and 1999.

IC 6-8.1-10-2.1(g) states:

A person who fails to file a return for a listed tax that shows no tax liability for a taxable year, other than an information return (as defined in section 6 of this chapter), on or before the due date of the return shall pay a penalty of ten dollars (\$10) for each day that the return is past due, up to a maximum of two hundred fifty dollars (\$250).

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Taxpayer failed to file its returns. The department finds that a penalty is proper.

FINDING

Taxpayer's protest is denied.

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